

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**ALIGN TECHNOLOGY, INC.,**

Plaintiff,

v.

**CLEARCORRECT OPERATING, LLC,  
CLEARCORRECT HOLDINGS, INC., &  
INSTITUT STRAUMANN AG,**

Defendants.

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**CLEARCORRECT OPERATING, LLC,  
CLEARCORRECT HOLDINGS, INC., &  
STRAUMANN USA, LLC,**

Counterclaim-Plaintiffs,

v.

**ALIGN TECHNOLOGY, INC.,**

Counterclaim-Defendant.

**Case No. 6:24-cv-00187-ADA-DTG**

**JURY TRIAL DEMANDED**

**PATENT CASE**

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO  
COUNTERCLAIM-DEFENDANT’S REQUEST FOR JUDICIAL NOTICE AND  
MOTION TO DISMISS**

On September 13, 2024, Plaintiff and Counterclaim-Defendant Align Technology, Inc. (“Align”) filed a request for judicial notice and a motion to dismiss the counterclaims filed by ClearCorrect Operating, LLC, ClearCorrect Holdings, Inc., and Straumann USA, LLC (collectively, “ClearCorrect”). Dkt. 96; Dkt. 97, Dkt. 98. ClearCorrect’s response to Align’s

filings are currently due on September 27, 2024. ClearCorrect respectfully requests that its deadline to respond be extended by 16 days and the Court enter an order extending the deadline to October 14, 2024. Align does not oppose this motion. As Align explained in its request for an extension of time to file its response to ClearCorrect's counterclaims, "Align and the Counterclaim-Plaintiffs agreed to reciprocal sixteen-day extensions to oppose any motion to dismiss and to reply in support of any motion to dismiss." Dkt. 65, at 2 n.1.

The parties have conferred and agree that the requested extension will serve the interests of justice and will not disrupt or cause undue delay in this case or prejudice any party.

Dated: September 16, 2024

Respectfully submitted,

/s/ Melissa R. Smith

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***Attorneys for Defendant  
Institut Straumann AG***

***Attorneys for Defendants and Counterclaim  
Plaintiffs  
ClearCorrect Operating, LLC  
ClearCorrect Holdings, Inc.***

***Attorneys Counterclaim Plaintiff  
Straumann USA LLC***

**CERTIFICATE OF CONFERENCE**

The undersigned counsel conferred with opposing counsel concerning the relief sought in this Motion and was advised that opposing counsel did not oppose this Motion.

/s/ Holly A. Ovington  
Holly A. Ovington

**CERTIFICATE OF SERVICE**

I hereby certify that on September 16, 2024, a true and correct copy of the foregoing document was served electronically, via ECF, on all counsel of record who are deemed to have consented to such service under the Court's local rules.

/s/ Melissa R. Smith  
Melissa R. Smith